

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Hiroshi Yahata et al.

Serial No.: 10/561,314

Filed: December 19, 2005

For: RECORDING MEDIUM,
REPRODUCTION APPARATUS,
RECORDING METHOD, AND
REPRODUCTION METHOD

Patent Examiner:

Group Art Unit: 2176

October 24, 2006

Costa Mesa, California 92626

LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sirs:

We filed a Petition to Make Special on August 21, 2006, a copy of which is attached hereto along with the confirmation of receipt from the United States Patent & Trademark Office.

Initially our case was not in PAIR, but recently has been listed in PAIR. We noted that the Petition to Make Special was not listed and we contacted Examiner David Bucci in the Petitions Department. We brought this to the attention of Examiner Bucci and he verified that there was no record of our Petition to Make Special. Examiner Bucci suggested that we file again the Petition to Make Special along with this cover letter bringing this matter to the attention of the United States Patent Office.

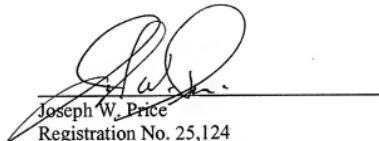
Our client is seeking a prompt examination and is presently concerned about the failure

of the US Patent Office to acknowledge receipt of our Petition in its records. We requested an accelerated review of this matter as a result of the Patent Office error.

If there are any questions about this matter we would appreciate being directly contacted.

Very truly yours,

SNELL & WILMER L.L.P.



Joseph W. Price
Registration No. 25,124
600 Anton Boulevard, Suite 1400
Costa Mesa, CA 92626
Telephone: (714) 427-7420
Facsimile: (714) 427-7799

TO:Auto-reply fax to 714 427 7799 COMPANY:

Auto-Reply Facsimile Transmission



TO: Fax Sender at 714 427 7799

Fax Information
 Date Received: 8/21/2006 8:27:40 PM [Eastern Daylight Time]
 Total Pages: 24 (including cover page)

ADVISORY: This is an automatically generated return receipt confirmation of the facsimile transmission received by the Office. Please check to make sure that the number of pages listed as received in Total Pages above matches what was intended to be sent. Applicants are advised to retain this receipt in the unlikely event that proof of this facsimile transmission is necessary. Applicants are also advised to use the certificate of facsimile transmission procedures set forth in 37 CFR 1.8(a) and (b), 37 CFR 1.6(f). Trademark Applicants, also see the Trademark Manual of Examining Procedure (TMEP) section 306 et seq.

Received
Cover
Page
=====>

Snell & Wilmer L.L.P.		
8/21/2006 17:20 FAX 714 427 7799		
24/001/024		
SNELL & WILMER L.L.P.		
ATTORNEYS AT LAW		
1600 Arch Street, Suite 1100		
Philadelphia, Pennsylvania 19102-3709		
(215) 427-7000		
Fax: (215) 427-7799		
www.snlaw.com		
SACRAMENTO, CALIFORNIA		
INDIANAPOLIS, INDIANA		
HOUSTON, TEXAS		
MILWAUKEE, WISCONSIN		
MINNEAPOLIS, MINNESOTA		
NASHVILLE, TENNESSEE		
NEW YORK, NEW YORK		
PHILADELPHIA, PENNSYLVANIA		
PORTLAND, OREGON		
SAN FRANCISCO, CALIFORNIA		
SAN JOSE, CALIFORNIA		
SAN DIEGO, CALIFORNIA		
SEATTLE, WASHINGTON		
ST. LOUIS, MISSOURI		
TAMPA, FLORIDA		
TULSA, OKLAHOMA		
WAUKEGAN, ILLINOIS		
WICHITA, KANSAS		
WILMINGTON, DELAWARE		
WORLDWIDE		
FACSIMILE TRANSMISSION		
DATE: August 21, 2006		
TIME IN: TIME OUT:		
TO: Name Fax Number Phone Number		
USPTO 1-877-273-8700		
FROM: Joseph W. Price PHONE: 714-427-7420		
MESSAGE: Serial No.: 18/561,314 Attorney Docket: 92478-8409		
Please enter attached Petition to Make Special & Preliminary Amendment. **PLEASE CONFIRM RECEIPT VIA RETURN FAX**		
ORIGINAL DOCUMENT: NUMBER OF PAGES (including Cover): 24		
CONFIRMATION NO.: CLIENT MATTER NO.: 99999-0000		
PLEASE RETURN TO: Sharon Furnus PERSONAL FAX: No		
REQUESTOR: Joseph W. Price DIRECT LINE: 714-427-7420		
IF YOU HAVE NOT PROPERLY RECEIVED THIS TELECOPY, PLEASE CALL US AT (714) 427-7091. OUR FACSIMILE NUMBER IS (714) 427-7799.		
THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS ATTORNEY-CLIENT-ATTORNEY INFORMATION ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED ABOVE. IF YOU ARE NOT THE INTENDED RECIPIENT, OR THE INFORMATION CONTAINED HEREIN IS UNINTENDED, PLEASE NOTIFY THE ATTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE, AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA THE E-MAIL PORTAL SERVICE THAT YOU		
PAGE 104 FAXD AT 02/06 8:27:40 PM [Eastern Daylight Time] 045185PT0-EF00-3101-D10-27030N CSD/714 427 7799 DURATION 0m 00s 00ms		

*** TX REPORT ***

TRANSMISSION OK

TX/RX NO	3907
CONNECTION TEL	#29415712738300
CONNECTION ID	
ST. TIME	08/21 17:26
USAGE T	05'59
PGS. SENT	24
RESULT	OK

299

Snell & Wilmer

LLP

LAW OFFICES

600 Anton Boulevard, Suite 1400
Costa Mesa, California 92626-7689

(714) 427-7000
Fax: (714) 427-7799
www.swlaw.com

COSTA MESA, CALIFORNIA

PHOENIX, ARIZONA

TUCSON, ARIZONA

SALT LAKE CITY, UTAH

DENVER, COLORADO

LAS VEGAS, NEVADA

FACSIMILE TRANSMISSION

DATE: August 21, 2006

TIME IN:
TIME OUT:

TO:

	Name	Fax Number	Phone Number
USPTO		1-571-273-8300	

FROM: Joseph W. Price

PHONE: 714-427-7420

MESSAGE:

Serial No.: 10/561,314
Attorney Docket: 92478-8400

Please enter attached Petition to Make Special & Preliminary Amendment.

PLEASE CONFIRM RECEIPT VIA RETURN FAX

ORIGINAL DOCUMENT:

NUMBER OF PAGES (Including Cover): 24

CONFIRMATION NO.:

CLIENT MATTER NO.: 99999-0000

PLEASE RETURN TO:

Sharon Farnus

PERSONAL FAX:

No

REQUESTOR:

Joseph W. Price

DIRECT LINE:

714-427-7420

IF YOU HAVE NOT PROPERLY RECEIVED THIS TELECOPY, PLEASE CALL US AT (714) 427-7091.
OUR FACSIMILE NUMBER IS (714) 427-7799.

TRANSMITTAL LETTER
(General - Patent Pending)

Docket No.
92478-8400

In Re Application Of: Hiroshi Yahata et al.

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/561,314	December 19, 2005	Not yet assigned	52044	2176	6274

Title: RECORDING MEDIUM, REPRODUCTION APPARATUS, RECORDING METHOD, AND
REPRODUCTION METHOD

COMMISSIONER FOR PATENTS:

Transmitted herewith is:

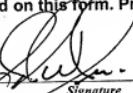
Petition to Make Special
English Translation of International Search Report
Preliminary Amendment

COPY

in the above identified application.

- No additional fee is required.
- A check in the amount of _____ is attached.
- The Director is hereby authorized to charge and credit Deposit Account No. 19-2814 as described below.
- Charge the amount of \$130.00
- Credit any overpayment.
- Charge any additional fee required.
- Payment by credit card. Form PTO-2038 is attached.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

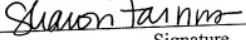

Signature

Dated: August 21, 2006

Joseph W. Price
Reg. 25,124
Snell & Wilmer LLP
600 Anton Boulevard, Suite 1400
Costa Mesa, CA 92626
Tel: 714-427-7420
Fax: 714-427-7799

I hereby certify that this correspondence is being transmitted via facsimile to the USPTO at 571-273-8300 on 8-21-06.

By: Sharon Farnus


Signature

Dated: 8-21-06

cc:

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Hiroshi Yahata et al.

Serial No.: 10/561,314

Filed: December 19, 2005

For: RECORDING MEDIUM,
REPRODUCTION APPARATUS,
RECORDING METHOD, AND
REPRODUCTION METHOD

Patent Examiner:

Group Art Unit: 2176

August 21, 2006

Costa Mesa, California 92626

PETITION TO MAKE SPECIAL

VIA FACSIMILE
1-571-273-8300

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sirs:

This petition to make special is being submitted in accordance with 37 CFR § 1.102(d) in order to accelerate examination of the above-identified application. Submitted below are items (A) through (E) as required pursuant to MPEP § 708.02(VIII):

A. Fee

Submitted with this petition to make special is the fee set forth in 37 CFR § 1.17(h).

B. SINGLE INVENTION

In the event that the Office determines that all the claims presented are not obviously directed to a single invention, it is hereby submitted that the Applicants will make an election without traverse as a prerequisite to the grant of special status.

C. PRE-EXAMINATION SEARCH

A search report issued by a foreign patent office in a corresponding foreign application having claims of similar scope to the claims currently pending in this application has already been made of record.

D. COPY OF REFERENCES

It is noted that the following four references which have already been made of record and which are cited as category "A" references in the foreign search report are deemed most closely related to the subject matter encompassed by the claims:

- JP 2003-513538 corresponding to WO 01/31497 (hereinafter "Ruben Gonzales")
- JP 2002-533000 corresponding, to WO 00/36600 (hereinafter "De Haan et al.")
- JP 2001-332006 (hereinafter "Shiraishi et al.")
- J P 9-81118 (hereinafter "Ishiguro")

E. DETAILED DISCUSSION

Provided next is a detailed discussion which points out, with the particularity required by 37 CFR § 1.111(b) and (c), how the claimed subject matter is patentable over the aforementioned four category "A" references.

One of the objects of the present invention is to provide an interactive control technology for combining an interactive display with a motion picture [see Specification at page 1 (lines 6-12)].

According to one embodiment of the present invention as recited in independent claim 1 of the present application, a recording medium is provided to comprise: a graphics stream which represents an interactive display including a plurality of graphical button materials to be overlayed with a motion picture wherein: the graphics stream includes a plurality of graphics

data sets each forming a group of graphics data which renders a predetermined state of the graphical button materials; and the plurality of graphics data sets respectively renders different predetermined states of the graphical button materials.

It is submitted that remaining independent claims 5 and 9-11 of the present application similarly recite the aforementioned features.

By providing the aforementioned arrangement of the plurality of graphics data sets for rendering and displaying the graphic button materials, the present invention is able to achieve a smooth and quick rendering of graphical button materials overlayed with a motion picture, thereby providing a very enjoyable interactive experience for a user a watching motion picture [see FIG. 13-17 and Specification page 3 (line 12) – page 4 (line 17)].

It is submitted that the aforementioned features recited in each of independent claims 1, 5 and 9-11, as well as the above described advantages resultant therefrom, are not disclosed or suggested by the four category "A" references, either taken alone or in combination, for at least the following reasons.

The Ruben Gonzales reference discloses providing software playback of streaming video on a low processing/power mobile device such as a general purpose handheld device without the aid of specialized DSP or custom hardware as an object of the invention [see Specification at page 5 (lines 13-17)]. According to the Ruben Gonzales invention, a packet stream may include not only a video packet stream but also a text packet stream, audio packet stream, music packet stream and/or graphics packet streams [see FIG. 1 and Specification at pages 34-35]. The method comprises the steps of combining packet streams into an object which contains control information, placing a plurality of the objects into a data stream, grouping one or more of the data streams in a scene which includes format definition as the initial packet in a sequence of

packets, and converting the data into a file [see FIGS. 4-6 and Specification at page 38 (line 6) – page 41 (line 27)]. An encoder for executing the method is provided together with a player or decoder for decoding the file, which can be wirelessly streamed to a portable computer device, such as mobile phone or a PDA. Thus, object controls can provide rendering and interactive controls for objects allowing users to control dynamic media composition, such as dictating the shape and content of interleaved video objects, and control of the objects received [see FIG. 12 and Specification at page 51 (line 21) – page 53 (line 5)].

Accordingly, the main object of the Ruben Gonzales invention is quite different from the present invention in that the Ruben Gonzales invention is directed towards providing a high performance and low complexity software video codec for wirelessly connected mobile devices [see Specification at page 5 (lines 18-22)].

The present invention on the other hand is directed towards an interactive control technology for combining an interactive display with a motion picture.

Thus, it is submitted that the Ruben Gonzales reference fails to disclose or suggest a graphics stream which represents an interactive display including a plurality of graphical button materials to be overlayed with a motion picture wherein: the graphics stream includes a plurality of graphics data sets each forming a group of graphics data which renders a predetermined state of the graphical button materials; and the plurality of graphics data sets respectively renders different predetermined states of the graphical button materials, as recited in independent claims 1, 5 and 9-11 of the present application.

The De Haan et al. reference discloses an apparatus for playing back a record carrier having recorded thereon a first stream of data representing in a video item, a second stream of data representing a graphics item and a control program for controlling interactive playback of

the items [see FIG. 1 and Specification at page 7 (lines 23-29)]. The program recorded on the record carrier has first and second program portions. The first program portion comprises primary data relating to shape properties of a graphics object [see Specification at page 15 (lines 24-25)]. The second program portion is to be executed after the first program portion in case of compliance of user input with a predetermined condition specified in the program. The second program portion specifies a visual feedback in response to the user Input [see Specification at page 16 (lines 8-17)]. Thus, the De Haan et al. apparatus reproduces the record carrier and can enable the Visual feedback upon receiving a user input and a structure of the first/second program is provided to improve a response of feedback of the user input.

Accordingly, unlike the present invention, the De Haan et al. reference is directed towards the purpose of merely providing interactive playback of graphics data and video data contained on a recorded medium according to user input [see FIG. 4 and Specification at page 19 (lines 1-24)], whereas the present invention is directed towards an interactive control technology for combining an interactive display with a motion picture.

It thus submitted that the De Haan et al. reference fails to disclose or suggest a graphics stream which represents an interactive display including a plurality of graphical button materials to be overlayed with a motion picture wherein: the graphics stream includes a plurality of graphics data sets each forming a group of graphics data which renders a predetermined state of the graphical button materials; and the plurality of graphics data sets respectively renders different predetermined states of the graphical button materials, as recited in independent claims 1, 5 and 9-11 of the present application.

The Shiraishi et al. reference discloses a background image capturing system [see Paragraph 54 of Abstract]. More specifically, this reference discloses a system enabling a user to

utilize desired pictures/images as background images [see Paragraph 57 of Abstract]. The system enables such pictures/images to be captured as part of image reproduced from a DVD-disk and such pictures/images can be displayed as the background image when videos are not being reproduced from the disk either during a standby state prior to the start of the video reproduction or during a stop state [see "Solution" section in Paragraph 57 of Abstract]. Thus, it is quite clear that the purpose and objective of the Shiraishi et al. invention is quite different from that of the presently claimed invention.

Thus, the Shiraishi et al. reference merely discloses an invention directed towards the use of pictures/images as background images either during a standby state or prior to the start of video reproduction. However, this reference fails to disclose or suggest a graphics stream which represents an interactive display including a plurality of graphical button materials to be overlayed with a motion picture wherein: the graphics stream includes a plurality of graphics data sets each forming a group of graphics date which renders a predetermined state of the graphical button materials; and the plurality of graphics data sets respectively renders different predetermined states of the graphical button materials, as recited in independent claims 1, 5 and 9-11 of the present application.

The Ishiguro reference discloses an image control device for improving the processing speed without using a high-speed CPU [see Paragraph 54 of Abstract]. In greater detail, the Ishiguro reference discloses an image control device capable of displaying an object A image of a character which is not changed and object B image of a character which can be changed. A character string alteration processing is disclosed such that the character of the image B is rewritten by changing a character name in a code of the object B image and the character of the image B is deleted by designating a color block in the code as a transparent color code [see

"Solution" section in Paragraph 57 of Abstract]. Thus, it is quite clear that the purpose and objective of the Ishiguro et al. invention is quite different from that of the presently claimed invention.

Accordingly, it is submitted that the Ishiguro et al. reference fails to disclose or suggest a graphics stream which represents an interactive display including a plurality of graphical button materials to be overlayed with a motion picture wherein: the graphics stream includes a plurality of graphics data sets each forming a group of graphics data which renders a predetermined state of the graphical button materials; and the plurality of graphics data sets respectively renders different predetermined states of the graphical button materials, as recited in independent claims 1, 5 and 9-11 of the present application.

For at least the foregoing reasons, it is submitted that the aforementioned four prior art references cited as category "A" references in the foreign search report, taken either alone or in combination, fail to disclose or suggest a graphics stream which represents an interactive display including a plurality of graphical button materials to be overlayed with a motion picture wherein: the graphics stream includes a plurality of graphics data sets each forming a group of graphics data which renders a predetermined state of the graphical button materials; and the plurality of graphics data sets respectively renders different predetermined states of the graphical button materials, as recited in independent claims 1, 5 and 9-11 of the present application.

CONCLUSION

In view of satisfying each of requirements (A) through (E) above, the Examiner is respectfully requested to grant this petition to make special and accelerate examination of this application.

Moreover, it is submitted that the present invention as recited in independent claims 1, 5 and 9-11, as well as the claims dependent thereon, is clearly allowable and the Examiner is kindly requested to promptly pass this case to issuance.

In the event that the Examiner has any comments or suggestion of a nature to expedite prosecution of this application, the Examiner is kindly requested to contact the Applicants undersigned representative.

It is believed that applicant has satisfied the requirements for the request for Petition to Make Special and if there are any questions with regards to this matter, the undersigned attorney would appreciate a telephone conference and can be reached at the phone number listed below.

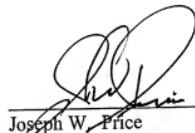
I hereby certify that this correspondence is being transmitted via facsimile to the USPTO at 571-273-8300 on August 21, 2006.

By: Sharon Farnus
Sharon Farnus

Signature

Dated: August 21, 2006

Very truly yours,
SNELL & WILMER L.L.P.



Joseph W. Price
Registration No. 25,124
600 Anton Boulevard
Suite 1400
Costa Mesa, CA 92626
Telephone: (714) 427-7420
Facsimile: (714) 427-7799

INTERNATIONAL SEARCH REPORT

International application No.
PCT/JP2004/009515A. CLASSIFICATION OF SUBJECT MATTER
Int.C1' H04N5/91, H04N5/92, G06T13/00, G11B27/34

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)
Int.C1' H04N5/91, H04N5/92, G06T13/00, G11B27/34Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched
Jitsuyo Shinan Koho 1922-1996 Toroku Jitsuyo Shinan Koho 1994-2004
Kokai Jitsuyo Shinan Koho 1971-2004 Jitsuyo Shinan Toroku Koho 1996-2004

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	JP 2003-513538 A (ACTIVE SKY, INC.), 08 April, 2003 (08.04.03), Full text; all drawings & WO 01/31497 A1	1-11
A	JP 2002-533000 A (Koninklijke Philips Electronics N.V.), 02 October, 2002 (02.10.02), Full text; all drawings & WO 00/36600 A1	1-11
A	JP 2001-332006 A (Toshiba Corp.), 30 November, 2001 (30.11.01), Full text; all drawings (Family: none)	1-11

 Further documents are listed in the continuation of Box C. See patent family annex.

- * Special categories of cited documents:
- "A" document defining the general state of the art which is not considered to be of particular relevance
 - "E" earlier application or patent but published on or after the international filing date
 - "L" document which may throw doubt on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
 - "O" document referring to an oral disclosure, use, exhibition or other means
 - "P" document published prior to the international filing date but later than the priority date claimed
- "T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- "X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- "V" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art
- "G" document member of the same patent family

Date of the actual completion of the international search 28 September, 2004 (28.09.04)	Date of mailing of the international search report 12 October, 2004 (12.10.04)
Name and mailing address of the ISA/ Japanese Patent Office	Authorized officer
Faxsimile No.	Telephone No.

INTERNATIONAL SEARCH REPORT

International application No.
PCT/JP2004/009515

C (Continuation). DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	JP 9-81118 A (Casio Computer Co., Ltd.), 28 March, 1997 (28.03.97), Full text; all drawings (Family: none)	1-11

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Hiroshi Yahata et al.

Serial No.: 10/561,314

Filed: December 19, 2005

For: RECORDING MEDIUM,
REPRODUCTION APPARATUS,
RECORDING METHOD, AND
REPRODUCTION METHOD

Patent Examiner:

Group Art Unit: 2176

August 21, 2006

Costa Mesa, California 92626

PRELIMINARY AMENDMENT

VIA FACSIMILE

1-571-273-8300

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sirs:

Prior to the examination of the merits of the above-identified case, please amend the
above-identified Application as follows:

IN THE CLAIMS:

1. (Currently Amended) A recording medium comprising a graphics stream;

wherein:

a graphics stream which represents an interactive display including a plurality of graphical button materials to be overlayed with a motion picture
wherein: said graphics stream represents an interactive display to be overlayed with a motion picture made of a plurality of pictures, the interactive display including at least one graphical button material;

said graphics stream includes a plurality of pieces of graphics data sets each forming a group of graphics data which renders a predetermined state of said graphical button materials that are grouped under state sets; and

the state sets respectively correspond to different states of the at least one button material and are disposed in a sequential order.

said plurality of graphics data sets respectively renders different predetermined states of said graphical button materials.

2. (Currently Amended) The recording medium of Claim 1, wherein:

said different predetermined [[the]] states are respectively a normal state, a selected state, and an active state; and

the state said plurality of graphics data sets are respectively a normal-state set, a selected-state set, and an active-state set, and are disposed in an order of the a normal-state set, the a selected-state set, and the an active-state set.

3. (Currently Amended) The recording medium of Claim [[2]] 1, further comprising play list information, wherein:

said play list information includes main-path information and sub-path information;

said main-path information indicates a video stream as a main stream and defines a reproduction section of the main stream;

said sub-path information indicates said graphics stream as a sub stream which synchronizes with said main stream, defines a reproduction section of said sub stream and includes reproduction information;

said reproduction information indicates a synchronization point on a reproduction time axis of said main stream; and

said interactive display is represented to be overlayed with a picture of said video stream in said reproduction section of said main stream.

~~the graphics stream further includes state control information used to control the states of the at least one button material, the state control information being disposed in front of the plurality of pieces of graphics data; and~~

~~when a button material to be in a selected state in an initial display of the interactive display by default is determined, graphics data constituting the selected state of the button material to be in a selected state in the initial display is disposed first in the selected state set; and~~

~~the state control information includes specification information used to specify the button material to be in a selected state in the initial display.~~

4. (Currently Amended) The recording medium of Claim [[2]] 3, further comprising a read-only optical disk, wherein:

said video stream is recoded on a read-only optical disk; and

said graphics stream and said video stream are recorded on said recording medium which is a rewritable disk.

~~said graphics stream further includes state control information used to control the states of the at least one button material, the state control information being disposed in front of the plurality of pieces of graphics data; and~~

~~when a button material to be in a selected state in an initial display of the interactive display by default dynamically changes, the state sets are not provided in any particular order; and~~

~~the state control information includes specification information used to indicate that the button material to be in a selected state in the initial display by default dynamically changes.~~

5. (Currently Amended) A reproduction apparatus for reproducing a video stream and a graphics stream, said reproduction apparatus comprising:

~~a video decoder operable to decode the video stream into a motion picture made of a plurality of pictures; and~~

~~a graphics decoder operable to cause an interactive display to be displayed overlayed with the motion picture, the interactive display including at least one graphical button material;~~

wherein:

a graphics decoder operable to decode the graphics stream which represents an interactive display including a plurality of graphical button materials to be overlayed with a motion picture, wherein:

the graphics stream includes a plurality of pieces of graphics data that are grouped under state sets; graphics data sets each forming a group of graphics data which renders a predetermined state of the graphical button materials;

the state sets respectively correspond to different states of the at least one button material and are disposed in a sequential order; and

the plurality of graphics data sets respectively renders different predetermined states of the graphical button materials; and

said graphics decoder uses the graphics data respectively belonging to a top set and a second-place set in the state sets, plurality of graphics data sets for presenting [[the]] an initial display of the interactive display, and uses the graphics data belonging to remaining ones of state sets the plurality of graphics data sets for updating the interactive display upon a user operation.

6. (Currently Amended) The reproduction apparatus of Claim 5, wherein:
the different predetermined states are respectively a normal state, a selected state,

and an active state;

the plurality of graphics data sets are disposed in an order of a normal-state set, a selected-state set, and an active-state set;

said graphics decoder includes:

a graphics processor operable to decode the plurality of pieces of graphics data;
an object buffer operable to store a plurality of pieces of decompressed graphics data obtained by the decoding;
a graphics plane operable to store at least some of the pieces of the decompressed graphics data that are to be overlayed with the motion picture; and
a control unit operable to:
~~enable the initial display of the interactive display to be presented by controlling to overlay, with the motion picture, decompressed graphics data respectively belonging to the top state set and the second place state set which has been written to the graphics plane from said object buffer; and~~
~~enable the interactive display to be updated, by controlling to overlay, with the motion picture, decompressed graphics data belonging to the remaining ones of the state sets which has been written to the graphics plane from said object buffer.~~
a graphics controller operable to write the decompressed graphics data in a graphics data set for rendering the selected state to said graphics plane.

7. (Currently Amended) The reproduction apparatus of Claim 6, further comprising a video decoder which decodes the video stream and reads play list information recorded on a recording medium, wherein:
the play list information includes main-path information and sub-path information;

the main information indicates the video stream as a main stream and defines a reproduction section of the main stream, the video stream includes pictures;

the sub-path information indicates the graphics stream as a sub stream which synchronizes with the main stream, defines a reproduction section of the sub stream and includes reproduction information;

the reproduction information indicates a synchronization point on a reproduction time axis of the main stream; and

the interactive display is represented to be overlayed with a picture of the video stream in the reproduction section of the main stream.

the states are respectively a normal state, a selected state, and an active state; and

the state sets are respectively a normal state set, a selected state set, and an active state set, and are disposed in an order of the normal state set, the selected state set, and the active state set;

the graphics stream further includes state control information used to control the states of the at least one button material; and

when the state control information includes description specifying a button material to be in a selected state in the initial display by default, the graphics decoder performs the initial display using (a) graphics data in the selected state set corresponding to the button material to be in a selected state in the initial display, and (b) graphics data in the normal state set corresponding to any other

~~button material than the button material to be in a selected state in the initial display.~~

8. (Currently Amended) The reproduction apparatus of Claim 7, wherein:
- the video stream is recorded on a read-only optical disk; and
the graphics stream and the video stream are recorded on a recording medium which is a rewritable disk.

~~said control unit, upon completion of decoding of the first graphics data of the selected state set, performs (i) clearing of the graphics plane, and (ii) reading from said object buffer, and writing to the cleared graphics plane (a) the graphics data in the selected state set corresponding to the button material to be in a selected state in the initially display, and (b) the graphics data in the normal state set corresponding to any other button material than the button material to be in a selected state in the initial display.~~

9. (Currently Amended) A recording method for recording to a recording medium, said method comprising:

creating application data; and
recording the created ~~application~~ data to the recording medium; wherein:
the application data includes a graphics stream;
the graphics stream represents an interactive display to be overlayed with a motion picture ~~made of a plurality of pictures~~, the interactive display including ~~at least one-a~~ a plurality of graphical button materials;

the graphic stream includes a plurality of pieces of graphics data that are grouped under state sets sets each forming a group-of graphics data which renders a predetermined state of the graphical button materials; and

the state sets respectively correspond to different states of the at least one button material and are disposed in a sequential order.

the plurality of graphics data sets respectively renders different predetermined states of the graphical button materials.

10. (Currently Amended) A program embodied on a computer readable medium for enabling a computer to reproduce a video stream and a graphics stream, said program comprising code operable to cause the computer to perform:

a decoding of the video graphics stream into a motion picture made of a plurality of pictures; and

a display of an interactive display to be overlayed with a motion picture,
the interactive display including at least one a plurality of graphical button materials;

wherein:

the graphics stream includes a plurality of pieces of graphics data that are grouped under state sets;

the state sets respectively correspond to different states of the at least one button material and are disposed in a sequential order; and

the graphics stream represents the interactive display to be overlayed with the motion picture;

the graphics stream includes a plurality of graphics data sets each forming a group of graphics data which renders a predetermined state of the graphical button materials;

the plurality of graphics data sets respectively renders different predetermined states of the graphical button materials; and

in said display, the graphics data respectively belonging to a top set and a second-place set in the state sets is plurality of graphics data sets are used for presenting an initial display of the interactive display, and

graphics data belonging to remaining ones of the state plurality of graphics data sets is used for updating the interactive display upon a user operation.

11. (Currently Amended) A method of reproducing a video stream and a graphics stream which represents an interactive display including a plurality of graphical button materials to be overlayed with a motion picture, said reproduction method comprising:

decoding the videographics stream; into a motion picture made of a plurality of pictures; and

displaying an interactive display to be overlayed with the motion picture; the interactive display including at least one graphical button material; wherein:

the graphics stream includes a plurality of pieces of graphics data sets each forming a group of graphics data which renders a predetermined state of the graphical button materials that are grouped under state sets;

the state sets respectively correspond to different states of the at least one button material and are disposed in a sequential order; and

the plurality of graphics data sets respectively renders different predetermined states of the graphical button materials; and

in said displaying, the graphics data respectively belonging to a top set and a second-place set in the state sets is plurality of graphics data sets are used for presenting an initial display of the interactive display, and uses the graphics data belonging to the remaining ones of the state sets plurality of graphics data sets is used for updating the interactive display upon a user operation.

REMARKS

The present amendments to the claims are supported by the specification and drawings of the present application and do not introduce any new subject matter.

It is believed that these claims are directed to a single invention for purposes of a Petition to Make Special.

If there are any questions with regards to this matter the undersigned attorney can be contacted at the below listed telephone number.

I hereby certify that this correspondence is being transmitted via facsimile to the USPTO at 571-273-8300 on August 21, 2006.

By: Sharon Farnus
Sharon Farnus
Signature

Dated: August 21, 2006

Very truly yours,

SNELL & WILMER L.L.P.



Joseph W. Price
Registration No. 25,124
600 Anton Boulevard, Suite 1400
Costa Mesa, CA 92626
Telephone: (714) 427-7420
Facsimile: (714) 427-7799